

**SEALED**

BY THE ORDER OF THE COURT

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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII  
Aug 18, 2022  
Pam Hartman Beyer, Clerk of Court

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	MAG. NO. 22-1422 WRP
	)	
Plaintiff,	)	CRIMINAL COMPLAINT;
	)	AFFIDAVIT IN SUPPORT OF
vs.	)	CRIMINAL COMPLAINT
	)	
CHRISTOPHER CHAN,	)	
	)	<b><u>FILED UNDER SEAL</u></b>
Defendant.	)	
	)	

**CRIMINAL COMPLAINT**

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief.

Failure to Register Firearm  
(26 U.S.C. § 5861(d))

On or about August 16, 2022, within the District of Hawaii, CHRISTOPHER CHAN, the defendant, knowingly received and possessed a firearm not registered to him in the National Firearms Registration and Transfer Record, to wit: a rifle containing no serial number or appropriate manufacturer markings, with a barrel length measuring approximately 10.5 inches.

All in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

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I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and that this Complaint is based upon the facts set forth in the attached "Affidavit in Support of Criminal Complaint," which is incorporated herein by reference.

DATED: August 18, 2022, Honolulu, Hawaii.



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Special Agent  
Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Sworn to under oath before me telephonically, and attestation acknowledged pursuant to Federal Rule of Criminal Procedure 4.1(b)(2), on this 18th day of August 2022, at Honolulu, Hawaii.



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Wes Reber Porter  
United States Magistrate Judge

**SEALED**

**BY THE ORDER OF THE COURT**

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII  
**Aug 22, 2022**  
Pam Hartman Beyer, Clerk of Court

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**INTRODUCTION**

1. This affidavit is submitted for the purpose of establishing probable cause. On or about August 16, 2022, within the District of Hawaii, Christopher Chan engaged in conduct that violated Title 26 United States Code, Sections 5841, 5861(d), and 5871, which make it a crime to receive or possess an unregistered short-barreled rifle.

2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since 2020. I am currently assigned to the ATF Honolulu Field Office, Honolulu, Hawaii. I am charged with the investigation and enforcement of violations of federal firearm laws and associated violations. I was employed with the Department of Defense from 2013 to 2020. I graduated with a Bachelor's of Science in Computer Science from Seattle University. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigation Program and the ATF Special Agent Basic Training Program. I have attended numerous classes, seminars and training lectures in the investigation of criminal violations of federal laws. I have conducted numerous

firearms-related investigations and executed both federal search and arrest warrants.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, officers, and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of the facts known to me or to ATF regarding this matter. Summaries and statements from conversations do not include references to all topics in the conversations. This affidavit is not intended to include each and every fact and matter observed or known by the government.

#### **PROBABLE CAUSE**

4. On August 16, 2022, the General Manager (hereinafter the General Manager) of a Waikiki condominium located in Honolulu, HI (hereinafter TARGET RESIDENCE) was interviewed by the Honolulu Police Department (HPD). The General Manager stated that since May 2022, the resident of unit 1803 at the TARGET RESIDENCE, Christopher CHAN (hereinafter CHAN), had been the source of several complaints from residents about unusual behavior. The General Manager stated that the residents related to him that CHAN had been making statements that there are people tracking him and that neighbors were attacking him with radio frequency waves. The General Manager related that one



female resident had reported CHAN looking and filming into her bedroom window. The General Manager stated that he had spoken to CHAN and CHAN's father in July 2022. The General Manager explained that during this encounter, CHAN explained to the General Manager that CHAN was investigating a satanic cult being run inside the building and that they were trying to use CHAN as a human sacrifice. CHAN had refused to submit a written complaint because CHAN felt HPD and the Federal Bureau of Investigation (FBI) were involved. The General Manager relayed that there were other reports of CHAN attempting to kick down other neighbor's doors and that the neighbors were afraid to file any police reports in fear of reprisal. The General Manager stated that on August 12, 2022, a maintenance worker employed by the TARGET RESIDENCE (hereinafter the maintenance worker), had approached the General Manager and informed him that he, the maintenance worker, had recently realized that he had gone into CHAN's unit for an air-condition (AC) service several months ago and observed assault style firearms within the unit. The General Manager relayed that he felt afraid due to CHAN's unusual behavior and that he wanted to report the information about possible firearms in CHAN's custody to the police.

5. More specifically, on August 16, 2022, the maintenance worker stated to the General Manager that sometime last year, around July of 2021, the maintenance worker was tasked with servicing the AC units in the TARGET RESIDENCE. He

recalled that he had serviced unit 1803 when he noticed military-style rifles and the resident of the unit. The maintenance worker relayed that he thought nothing of it and did not know the name of the resident at the time. The maintenance worker relayed that he felt that the resident was strange, but knew that firearms are not necessarily illegal to own. The maintenance worker relayed that he had more recently encountered the resident while riding in an elevator. The maintenance worker stated that the resident in the elevator was saying strange things about "defend yourself by any means" and things about a coming apocalypse. The maintenance worker stated that he then identified CHAN by his strange behavior and observed CHAN turning into unit 1803. The maintenance worker explained that he then realized that CHAN was the same resident that he had encountered with military-style rifles months before. The maintenance worker then informed the General Manager on August 16, 2022, and then the General Manager requested HPD assistance via email.

6. On August 16, 2022, HPD District 6 officers responded to the email regarding CHAN's activities by conducting a welfare check at the TARGET RESIDENCE. While investigating, HPD conducted a check for a vehicle registered to CHAN, a 2012 grey Toyota Camry bearing Hawaii license plate ADFX-01 (hereinafter TARGET VEHICLE) on the second floor parking structure. HPD officers on the second floor parking structure observed CHAN leaving the

second floor in the TARGET VEHICLE and informed the HPD officers on the ground floor.

7. HPD witnessed the TARGET VEHICLE stop in the driveway of the TARGET RESIDENCE and attempted to stop the TARGET VEHICLE to detain CHAN for a welfare check. HPD observed the driver, later identified as CHAN, as the sole occupant of the TARGET VEHICLE and ordered CHAN to stop the vehicle. CHAN did not obey the officers' commands and fled the area in the TARGET VEHICLE, hitting a HPD vehicle. Shortly after, CHAN was located and detained near his mother's residence in Honolulu, HI, by HPD District 6 Crime Reduction Unit (CRU) officers. It was discovered that while CHAN had fled the TARGET RESIDENCE in the TARGET VEHICLE, he had been involved in multiple vehicle collisions without stopping before he was located and detained near his mother's residence. Due to the totality of CHAN's behavior and mental status, HPD's on-call psychologist was contacted and CHAN was later approved for "Mental Health 1." CHAN was then transported to Queen's Medical Center for a mental evaluation.

8. HPD officers located an AR-type rifle (hereinafter the rifle) loaded with ammunition in a magazine in the trunk of the TARGET VEHICLE.

9. On August 17, 2022, Special Agent (S/A) Michael Fujiuchi and S/A Christopher Tuitele physically examined the rifle that was found in the TARGET



VEHICLE at HPD Evidence Room located in Honolulu, HI. The rifle did not contain a serial number or appropriate manufacturer markings. S/A Fujiuchi and S/A Tuitele took measurements of the length of the overall rifle and the length of the barrel. The barrel length measured approximately ten and one-half (10½) inches. As defined in Title 26 U.S.C. 5845(a), a short-barreled rifle means a rifle having one or more barrels less than sixteen (16) inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six (26) inches. The barrel of the rifle is thus significantly shorter than lawfully permitted.

10. S/A Fujiuchi has reviewed the National Firearms Registration and Transfer Record, which indicates that the aforementioned rifle has not been registered.

**CONCLUSION**

11. Based on the foregoing facts and my training and experience, I respectfully submit that probable cause exists to believe that Christopher CHAN, the suspect, committed the aforementioned offenses.

DATED: August 18, 2022, Honolulu, Hawaii.



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Michael Fujiuchi  
Special Agent  
Bureau of Alcohol, Tobacco,  
Firearms, and Explosives

This Criminal Complaint and Affidavit in support thereof were presented to, approved by, and probable cause to believe that the defendant above-named committed the charged crime found to exist by the undersigned Judicial Officer at 4:16 p.m. on August 18, 2022.

Sworn to under oath before me telephonically, and attestation acknowledged pursuant to Federal Rule of Criminal Procedure 4, on this 18th day of August 2022, at Honolulu, Hawaii.



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Wes Reber Porter  
United States Magistrate Judge